

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Srinivasan Viswanathan et al.

Serial No.: 10/719,699

Filing Date: 11/21/2003

For: RECOVERY OF FILE SYSTEM DATA IN

FILE SERVERS MIRRORED FILE

SYSTEM VOLUMES

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Examiner: Puente, Emerson C.

Group Art Unit: 2113

Confirmation No.: 1349

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Julie Arango

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Sir:

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Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

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 A statement pursuant to 37 C.F.R. §1.97(e) or
 X A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

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- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Jordan M. Becker

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| | | | TION DISCLOSUR | Filing Date | 11/21/2003 | |
| | STATI | EME | ENT BY APPLICAN | First Named Inventor: | Srinivasan Viswanathan | |
| | | (use as | many sheets as necessary) MAY 3 0 2 | (S) | Art Unit | 2113 |
| | | | 温 | 006 🛥 } | Examiner Name | Puente, Emerson C. |
| Sheet | 1 | | of 🗽 | 2 | Attorney Docket Number | 5693P295C |
| Oncor | | | 49 PMA | T DOCUMENTS | <u> </u> | |
| Examiner Initials* | Cite No.1 | Num | Document Number ber-Kind Code²(If known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | <u> </u> | | 00/00/1000 | Clark et al. | |
| | | US- | 4,761,785 | 08/02/1988 | | |
| | | US- | 4,875,159 | 10/17/1989 | Cary et al. | |
| | | US- | 4,897,781 | 01/30/1990 | Chang et al. | |
| | | US- | 4,937,763 | 06/26/1990 | Mott | |
| | | US- | 5,067,099 | 11/19/1991 | McCown et al. | |
| | | US- | 5,208,813 | 05/04/1993 | Stallmo | |
| | | US- | 5,235,601 | 08/10/1993 | Stallmo et al. | |
| | | US- | 5,276,867 | 01/04/1994 | Kenley et al. | |
| | | US- | 5,305,326 | 04/19/1994 | Solomon et al. | |
| | | US- | 5,313,626 | 05/17/1994 | Jones et al. | |
| | | US∙ | 5,335,235 | 08/02/1994 | Arnott | |
| | | US- | 5,355,453 | 10/11/1994 | Row et al. | |
| | | US- | 5,357,509 | 10/18/1994 | Ohizumi | |
| | | US- | 5,649,152 | 07/15/1997 | Ohran et al. | |
| | | US- | 5,649,196 | 07/15/1997 | Woodhill et al. | |
| | | US- | 5,666,353 | 09/09/1997 | Klausmeier et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | | | |
|--------------------------|--------------------------|--|--|------------------------------|--|----------|--|--|--|--|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known) | Publication Name of Patentee or Date Applicant of Cited Documen MM-DD-YYYY | | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | | | | |
| | | EP 0462917 A2 | 12/27/1991 | IBM Corporation | | | | | | |
| | | EP 0492808 A2 | 07/01/1992 | Array Technology Corporation | | | | | | |
| | | EP 0537098 A2 | 04/14/1993 | IBM Corporation | | | | | | |
| | | EP 0552580 A3 | 03/01/1995 | IBM Corporation | | | | | | |
| | | EP 0767431 A1 | 04/09/1997 | Stac, Inc. | | <u> </u> | | | | |

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|-----------|-----------------|-------------|
| Examiner | Date Considered | |
| Signature | | |

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

| Complete | if Known |
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| Application Number | 10/719,699 |
| Filing Date | 11/21/2003 |
| First Named Inventor: | Srinivasan Viswanathan |
| Art Unit | 2113 |
| Examiner Name | Puente, Emerson C. |
| All Dealest Niveshor | ECO2DOSC |

| Sheet 2 | | | of | 2 | Attorney Docket Number | 5693P295C | |
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| | | | U.S. PA | TENT DOCUMENTS | 6 | | |
| Examiner Initials* | Cite No.1 | Document Number Number-Kind Code ² (If known) | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | |
| | | US- | 5,819,292 | 10/06/1998 | Hitz et al. | | |
| | | US- | 5,819,310 | 10/06/1998 | Vishlitzky et al. | | |
| | | US- | 5,873,101 | 02/16/1999 | Klein | | |
| | | US- | 5,907,672 | 05/25/1999 | Matze et al. | | |
| | | US- | 5,948,110 | 09/07/1999 | Hitz et al. | | |
| - | | US- | 5,963,962 | 10/05/1999 | Hitz et al. | | |
| | | US- | 5,996,086 | 11/30/1999 | Delaney et al. | | |
| | | US- | 5,996,106 | 11/30/1999 | Seyyedy | | |
| | | US- | 6,101,585 | 08/08/2000 | Brown et al. | | |
| | | US- | 6,119,244 | 09/12/2000 | Schoenthal et al. | | |
| | | US- | 6,182,198 B1 | 01/30/2001 | Hubis et al. | | |
| | | US- | 6,212,531 B1 | 04/03/2001 | Blea et al. | | |
| | | US- | 6,341,341 B1 | 01/22/2002 | Grummon et al. | | |
| | | US- | 6,397,307 B2 | 05/28/2002 | Ohran | | |
| | | US- | 6,549,921 B1 | 04/15/2003 | Ofek | | |
| | | US- | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | | |
|--------------------------|--------------------------|--|-----------------------------------|--|--|----------------|--|--|--|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ | | | |
| | | WO 00/07104 A1 | 02/10/2000 | Network Appliance, Inc. | | | | | |
| | | WO 01/31446 A1 | 05/03/2001 | Network Appliance, Inc. | | | | | |
| | | WO 01/43368 A1 | 06/14/2001 | Network Appliance, Inc. | | | | | |
| | - | WO 99/66401 A1 | 12/23/1999 | Network Appliance, Inc. | | | | | |
| | | | | | | | | | |

| Examiner | Date Considered | |
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